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Docket No.: 20722 US1 (C038435/0175476)

**REPLY UNDER
37 CFR § 1.116**

EXPEDITED PROCEDURE

TECHNOLOGY CENTER 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Beat FLÜHMANN *et al.*

Examiner: K. E. Weddington

Serial No.: 10/766,118

Art Unit: 1614

Filed: January 27, 2004

For: **PHYTANIC ACID DERIVATIVE
COMPOSITIONS AND METHOD OF
TREATING AND/OR PREVENTING
DIABETES MELLITUS**

New York, New York
December 8, 2005

RESPONSE TO FINAL OFFICE ACTION
PURSUANT TO 37 CFR § 1.116 INCLUDING AMENDMENT

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the final Office Action mailed October 27, 2005 which set a three-month shortened statutory period for response. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or before January 27, 2006. 37 CFR § 1.8. No fee is believed to be due. If it is

Application No.: 10/766,118
Amendment Dated: December 8, 2005
Reply to Office Action Dated: October 27, 2005

determined that a fee is due, please charge such fee to Deposit Account No. 02-4467.

A duplicate copy of this sheet is enclosed.

Please amend the application as follows:

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims, which begins on page 3 of this paper.

REMARKS begin on page 7 of this paper.